



# **CITY OF SANTA BARBARA**

## **ORDINANCE COMMITTEE AGENDA REPORT**

**AGENDA DATE:** November 9, 2010

**TO:** Ordinance Committee Members

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Sign Ordinance Revisions

**RECOMMENDATION:** That the Ordinance Committee:

- A. Review proposed amendments to Municipal Code Chapter 22.70 regarding Sign Regulations; and
- B. Make recommendations to City Council for Ordinance adoption.

### **DISCUSSION:**

On October 12, 2010, the Ordinance Committee reviewed several proposed ordinance amendments pertaining to the City's design review process, sign regulations, and Zoning Information Reports (ZIRs). The Committee took action on amendments pertaining to the reconstitution of the Sign Committee, terminology surrounding design review approvals, and discretionary project expirations, and continued the discussion on the following topics:

- Exemptions from the requirement to obtain a ZIR prior to the transfer of residential property; and
- Changes to clarify sign regulations and improve sign enforcement.

Further discussion of these two topics was deemed necessary in order to receive more public comment and additional information and clarification from staff on the impacts of the proposed changes. On October 26, 2010, the Committee held a follow-up discussion of proposed revisions to ZIR requirements. At this time, Staff is providing additional information regarding proposed amendments to the Sign Ordinance.

### **Background**

With the adoption of Sign Regulations in 1981, the City recognized that signs are an integral part of the cityscape and, as such, can detract from or enhance the City's image and character. The intent and purpose of the Sign Regulations (SBMC Chapter 22.70) are as follows:

"It is the intent of the City of Santa Barbara, through this ordinance, to protect and enhance the City's historic and residential character and its economic base

through the provision of appropriate and aesthetic signing.... In view of these facts, the City of Santa Barbara adopts the policy that the sign should serve primarily to identify an establishment, organization or enterprise. As identification devices, signs must not subject the citizens of the City to excessive competition for their visual attention. As appropriate identification devices, signs must harmonize with the building, the neighborhood and other signs in the area.”

With this purpose in mind, the City has a history of enforcing sign regulations and requiring Sign Committee approval of signs, where necessary, to maintain the aesthetic quality of the city.

### Sign Ordinance Revisions

The Sign Committee and staff have periodically identified issues with the enforceability of certain provisions of the Sign Ordinance. As a result, staff is proposing amendments to clarify areas that are vague or unclear, update the ordinance to address new sign technology, and revise certain provisions of the ordinance to assist enforcement efforts (see Attachment 1).

The Sign Ordinance (SBMC Chapter 22.70) essentially has three categories of signs – Exempt, Prohibited, and those allowed subject to specific standards.

### **Exempt Signs (SBMC Section 22.70.030.B)**

The Sign Ordinance currently allows 24 types of signs to be exempt from Sign Committee review, ranging from temporary construction signs to residential address signs, provided they meet certain requirements. Staff is proposing minor changes to these exempt signs, and adding one sub-category of exempt sign, as follows:

- Clarify that temporary holiday signage includes any related lighting, and that any signs or lights that require a building or electrical permit are not exempt and must be reviewed by the Sign Committee.
- Increase the maximum size of “for sale” or “for lease” lease signs from three square feet to four square feet.
- Explicitly allow neon or LED “open” signs that meet certain standards outside of El Pueblo Viejo (EPV) Landmark District and, in EPV, such signs would be exempt only if located at least ten feet back from any window.
- Clarify that temporary “open house” signs and temporary window signs shall not be illuminated.
- Increase the number of allowed off-site “open house” signs from three to five.
- Allow temporary “open house” signs on public property if placed in compliance with adopted standards that may be further clarified by guidelines.
- Clarify that signage not required by law to be placed on gasoline pumps counts toward overall sign square footage allowed on the site, and is subject to review.
- Restrict the number of exempt flags allowed on each parcel to two.

The Sign Ordinance currently does not allow installation of signs on public property, including sidewalks and parkways, unless installed by a public agency. It is a long-

standing practice of realtors to place temporary “open house” signs on street corners and sidewalks to direct people to a property. In recognition of this long-standing practice and limited staff resources to enforce this provision, staff proposes to allow up to five temporary “open house” signs on public property, in compliance with adopted standards for the safe placement of such signs.

Staff proposes to remove the reference to “gasoline pump” signage as an exempt sign in the current Section 22.70.030.B.15 to avoid confusion, as the current Section 22.70.030.B.20 already provides an exemption for signs specifically required by federal, state, or City law. California Business and Professions Code Section 13532 requires motor vehicle fuel establishments to advertise the price of fuel in numerals not less than six inches in height, the trademark or brand of the fuel, the word “gasoline,” and the grade designation of the fuel. These requirements would continue to be exempt from Sign Committee review and would not count toward the overall allowed signage on the property. The proposed change would make it clear that all other gas station signage is subject to review by the Sign Committee.

### **Prohibited Signs (SBMC Section 22.70.030.C)**

The Sign Ordinance currently recognizes 24 types of signs that are prohibited in the City, ranging from banners to portable signs. Minor changes to this category include:

- Allowing temporary “open house” signs to be placed in the public right of way, if placed in compliance with adopted standards.
- Explicitly prohibiting inflatable signs and limiting the number of balloons displayed to no more than two.
- Clarifying that banners strung within an open bay are prohibited along with all other banners.

The Sign Ordinance currently prohibits signs that “rotate, move, glare, flash, change, reflect, blink or appear to do any of the foregoing...” For many years, staff has cited this prohibition when enforcing on balloons, as they are intentionally meant to attract attention by moving and rotating. However, for clarity in enforcement, we propose prohibiting inflatable signs and limiting balloons to temporary displays of no more than two (2) balloons.

Another area of confusion during enforcement is the treatment of banners located within open bay areas (typically auto service repair bays or warehouses). Under the current provisions, such prohibited signs are allowed if located at least four feet back from the open bay, similar to window signs. Experience has shown that use of the “window sign” definition to enforce on large open bays is not practical, as the banners remain readily visible even when located four feet back from the bay. Staff proposes adding a new definition of “open bay sign” and a clarification that any banner hung in such a manner that it is visible through an open bay is prohibited along with all other banners.

### **General Requirements and Sign Standards**

Due to new technology, signs may now include television display and audio, electronic message boards, digital signs that are projected from a light source onto another surface, and mobile billboard signs, to name a few. The introduction of these types of signs, if unregulated, may have an overall negative impact to the character of the City. In order to stay current with new technology, staff proposes adding language to the definition of a sign to include "projection of light, video display, or open flame." We also propose a new definition of "illuminated sign."

Businesses are also introducing lighting (e.g., neon tubing, rope lights) within their window display areas to draw attention to their property and products. This method of illumination can have the same detrimental aesthetic effect as exterior lighting or a sign out of character with the historic nature of the El Pueblo Viejo (EPV) Landmark District. While any exterior change in EPV requires review by the Historic Landmarks Commission (HLC), these interior displays have gone unregulated to date. Staff proposes explicitly stating that such lights located within ten feet of a window are not allowed in EPV.

The HLC supports the recommended amendments, especially those that strengthen sign enforcement related to nuisance lighting and the installation of LCD display monitors within EPV (see Attachment 2).

#### Sign Permit Processing and Review

Revisions to the Sign Permit process and level of discretionary review are proposed, consistent with the process envisioned with the recently reconstituted Sign Committee. Updates to the Sign Committee Review Guidelines will be presented to Council, along with several related Ordinance amendments, to reflect these procedural changes and also further explain the City's scope of review of registered trademarks.

#### **BUDGET IMPACT:**

No significant expenditures are required, but some initial staff work is expected to implement changes to the sign permit process. Sign Ordinance clarifications will increase efficiencies in sign enforcement, which is helpful given recent reductions in Planning Division staffing levels dedicated to the enforcement program.

**ATTACHMENTS:** 1. Draft Sign Ordinance revisions  
2. Letter from the HLC dated October 21, 2010

**PREPARED BY:** Renee Brooke, Zoning & Enforcement Supervisor

**SUBMITTED BY:** Paul Casey, Assistant City Administrator/ Community Development Director

**APPROVED BY:** City Administrator's Office

ORDINANCE COMMITTEE DISCUSSION DRAFT 11/9/2010  
SHOWING CHANGES FROM EXISTING CODE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF  
THE CITY OF SANTA BARBARA  
AMENDING SECTIONS 22.70.020,  
22.70.030, 22.70.040, AND 22.70.050 OF  
THE SANTA BARBARA MUNICIPAL  
CODE RELATING TO SIGN PERMITS.

WHEREAS, the Community Development Department seeks to clarify the rules related to sign permit review in order to improve its ability to enforce the regulations in an efficient and consistent manner.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA  
DOES ORDAIN AS FOLLOWS:

SECTION 1. Sections 22.70.020, 22.70.030, 22.70.040, and 22.70.050 of Chapter 22.70  
“Sign Regulations” of Title 22 are amended to read as follows:

**22.70.020 Definitions.**

As used in this Chapter, the following terms and phrases shall have the indicated meanings:

A. ACCESSORY SIGN. A separate unit displaying information related to the principal business conducted on the premises, which is not attached to or supported by any other sign, and not made a part thereof.

B. ARCHITECTURAL FEATURE. Any window frame, recessed area, door, detail or other feature that is part of any building, or is a specific element of a recognized style of architecture.

C. AWNING SIGN. Any sign or graphic attached to, painted on or applied to an

awning or awning canopy.

D. BACK-LIT SIGN. Any internally illuminated sign with opaque, reverse panel, halo-lit letters and elements with concealed light sources in which the light projects away from the viewer.

E. BALLOON. A lighter than air or inflated object no larger than eighteen (18) inches in any dimension displayed at a height which is not above the roof ridge line of the main building or fifteen (15) feet, whichever is lower. An inflatable sign is not a balloon.

~~EF~~. BANNER. A bunting or other flexible sign characteristically supported at two or more points and hung on a building or otherwise suspended down or along its face, or across any public street of the City. The banner may or may not include copy or other graphic symbols.

~~FG~~. BENCH SIGN. Any sign painted on or otherwise attached to a bench or other seat placed in an exterior area.

~~GH~~. BILLBOARD. A freestanding sign which exceeds the size limitations of a ground or wall sign. A billboard may be on-premises or off-premises.

I. CHANGEABLE LIGHTED MESSAGE SIGN. Shall mean a sign which permits light to be turned on or off intermittently or which is operated in a way in which light is turned on or off intermittently, including any illuminated sign where the illumination is not kept stationary or of constant intensity and color at all times when such sign is in use. This definition includes incandescent lights, fluorescent lights, light emitting diodes (LEDs), digital displays, or any other manner of illumination. This definition includes signs which use lights to form letters, words, figures, symbols, etc., and signs with lights which illuminate intermittently (for example, a sign with blinking or moving lights)

regardless of wattage, whether directly or indirectly illuminated, except for time and temperature signs. This definition does not include a sign located within the right-of-way that functions as a traffic control device.

**HJ.** CIVIC EVENT SIGN. A sign, other than a commercial sign, posted to advertise or provide direction to a civic event sponsored by a public agency, the City, a school, church, civic-fraternal organization or similar non-commercial organization.

**IK.** COMMERCIAL, OFFICE OR INDUSTRIAL COMPLEX. A group of contiguous businesses which employs a homogeneous design theme as a common perimeter treatment.

**JL.** COMMERCIAL SIGN. Any sign which is intended to attract attention to a commercial activity, business, commodity, service, entertainment or attraction sold or offered, and which is to be viewed from public streets or public parking areas.

**KM.** EAVE. That portion of the roofline extending beyond the building wall, a canopy attachment on the wall having the simulated appearance of an eave, or the lowest horizontal line on any roof.

**LN.** ELECTION SIGN. A non-commercial sign pertaining to an election for public office or to a ballot measure to be placed before the voters in a federal, state or local election.

**MQ.** ERECT. To build, construct, attach, hang, place, suspend, affix or fabricate, which shall also include painting of wall signs and window signs or other graphics, or project light in order to create an illuminated sign.

**NP.** FACADE. The front of a building or structure facing a street.

**OQ.** FLAG. A piece of fabric of distinctive design (customarily rectangular) that is

used as a symbol of a nation, state, city, agency, corporation or person or as a signaling device and is usually displayed hanging free from a staff or halyard to which it is attached by one edge.

**PR.** FRONTAGE. The width of any face of a building.

1. Dominant building frontage. The principal frontage of the building where its main entrance is located or which faces the street upon which its address is located.

2. Subordinate building frontage. Any frontage other than the dominant frontage.

**QS.** GROUND SIGN. Any sign advertising goods manufactured, produced or sold or services rendered on the premises upon which the sign is placed, or identifying in any fashion the premises or any owner or occupant, and which is supported by one (1) or more uprights or braces on the ground, the overall total height (including sign or support structure, whichever is higher) of which does not exceed (i) six (6) feet above grade measured at the edge of the public right-of-way, or (ii) six feet above the base of the sign structure when the grade at the public right-of-way is at least three and one-half feet lower than the ~~natural~~ grade at the base of the sign, whichever is higher. In no case shall an artificial grade be established for the sole purpose of placing a sign at more than six (6) feet above the grade at the edge of the public right-of-way.

**RT.** HANGING SIGN. A sign attached to and located below any eave, roof, canopy, awning or wall bracket.

**U.** ILLUMINATED SIGN. A sign that is illuminated in some manner (either internally or from an exterior light source) or a sign that involves the projection of light onto another surface in a manner designed to communicate a message.



~~V~~. INFLATABLE SIGNS. A lighter than air or inflated object tethered or otherwise attached to the ground, structure or other object, but excluding balloons as defined in this Section. This definition includes, but is not limited to inflated representations of blimps, products, cartoon characters, animals and the like.

~~S~~W. KIOSK. A small, freestanding structure permanently affixed to the ground, requiring a building permit, which may have one or more surfaces used to display temporary advertising signs.

~~T~~X. LETTER HEIGHT. The height of a letter from its bottom to its top, including any shadow line.

~~U~~Y. LIGHTING STANDARD. A device for providing artificial light on the sign surface.

~~V~~Z. LOGO SIGN WITH COURTESY PANELS. Prefabricated signs bearing a brand name, registered trademark or logo with space for the name of a local business or occupant or other items of information to be applied thereto or erected thereon.

~~W~~AA. MARQUEE. A permanent roof structure attached to and entirely supported by a wall of a building, having no connection or relationship with the roof of the building to which it is attached.

~~X~~BB. MARQUEE SIGN. Any sign attached to a marquee.

~~Y~~CC. MOBILE SIGN. A sign on a boat or on a vehicle, other than on a public transit vehicle designed to carry at least 19 passengers, advertising a good, service, or entity other than that for which the vehicle is principally used.

~~Z~~DD. MURAL. A painting or picture applied to and made part of a wall or window which may be pictorial or abstract, and is characteristically visually set off or separated

from the background color or architectural environment.

**AAEE**. NON-COMMERCIAL SIGN. Any sign which is intended to convey a non-commercial message of social, political, educational, religious or charitable commentary.

**BBFF**. OFF-PREMISES SIGN. A commercial sign not located on the premises of the business or entity indicated or advertised by said sign, or a commercial sign advertising a commodity, service or entertainment offered at a location other than the location of the sign.

**GG**. OPEN BAY SIGN. A sign erected in such a manner that the sign is designed to be viewed from adjoining streets, walkways, malls or parking lots available for public use through an open bay or other opening within a structure (e.g, automotive repair bay, warehouse bay, open courtyard or patio, etc.).

**CCHH**. PARAPET. A low wall used to protect the edge of a roof from view, also called a parapet wall.

**DDII**. PARAPET OR PERGOLA SIGN. Any sign or other graphic attached to a parapet, ramada, pergola, or other similar structure.

**EEJJ**. PENNANT. A small triangular or rectangular flag or multiples thereof, individually supported or attached to each other by means of a string, rope, or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures.

**FFKK**. PERGOLA. A structure usually consisting of parallel colonnades supporting an open roof of girders and cross-rafters, also known as an arbor, trellis or ramada.

**GGLL**. POLE SIGN. Any sign, other than a ground sign, supported by one (1) or more uprights or braces on the ground, the height of which is greater than a ground sign,

and which is not part of any building or structure other than a structure erected solely for the purpose of supporting a sign.

**HHMM**. PORTABLE SIGN. Any sign, other than a mobile sign, designated or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

**HNN**. PROJECTING SIGN. Any sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the building wall.

**JOO**. ROOF. The cover of any building, including the eaves and similar projections. False roofs on store fronts, coverings on or over oriels, bay windows, canopies and horizontally projecting surfaces other than marquees shall be considered roofs.

**KKPP**. ROOF SIGN. Any sign any part of which is on or over any portion of any roof or eave of a building or structure and any sign which extends above a parapet of a building or structure.

**LLQQ**. SIGN. Any ~~physical~~ form of visual communication including any physical object, projection of light, video display, or open flame, with or without lettering, a symbol, logo or banner, other than a mural. A sign may include a commercial or noncommercial sign. A sign includes all parts, portions, units and materials used in constructing the sign, together with the illumination, frame, background, structure, support and anchorage thereof.

**MMRR**. TEMPORARY. A period of time not exceeding thirty (30) consecutive days, unless otherwise specified.

**NNSS**. VENDING MACHINE. A machine or other mechanical device or container

that dispenses a product or service through a self-service method of payment, but not including an automatic bank teller machine incorporated within a wall or a façade of a building, a news rack, a machine vending compressed air or water at an automobile service station, or a public telephone.

~~00TT~~. WALL SIGN. Any sign affixed directly to or painted on or otherwise inscribed on an exterior wall or solid fence, the principal face of which is parallel to said wall or fence and which projects from that surface no more than twelve (12) inches at all points.

~~PPUU~~. WINDOW SIGN. Any sign printed, attached, glued or otherwise affixed to or behind a window, within the window display area, or within four (4) feet of the window (ten (10) feet of the window, if illuminated), whichever is greater, and designed to be viewed from adjoining streets, walkways, malls or parking lots available for public use.

### **22.70.030 Sign Regulations.**

A. PERMIT REQUIRED. It is unlawful for any person to erect, repair, alter, relocate or maintain any sign within the City, or to direct or authorize another person to do so, except pursuant to a sign permit obtained as provided in this Chapter unless the sign is specifically exempted from permit requirements. No permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign unless the structure, design, color or character is altered.

B. EXEMPT SIGNS. The following signs shall be allowed without a sign permit and shall not be included in the determination of type, number or area of signs allowed on

a building or parcel:

1. Any official federal, state or local government sign and notice issued by any court, person or officer in performance of a public duty, or any sign erected or placed on park or beach property owned or controlled by the City and which (i) pertains to an event not exceeding five (5) days in duration and (ii) has been approved by the agency with authority over such property.

2. Any temporary sign warning of construction, excavation or similar hazards so long as the hazard exists.

3. One temporary construction sign, provided the sign (i) does not exceed six (6) square feet in one- and two-family residence zones and does not exceed twenty-four (24) square feet in all other zones, (ii) is used only to indicate the name of the construction project and the names and locations (city or community and state name only) of the contractors, architects, engineers, landscape designers, project or leasing agent, and financing company, (iii) is displayed during construction only, (iv) does not exceed the height limitations of a ground sign, and (v) meets all other applicable restrictions of this Chapter.

4. Any temporary sign relating to Christmas, Fiesta, Solstice or any other official City holiday ~~sign~~-except banners, blinking lights, ~~and/or~~ those signs and any related lighting requiring a building, electrical or other permit. Any such decorations or displays and any related lighting must be removed within ten (10) days following the event for which they were erected.

5. A temporary sign consisting of the display of no more than two (2) balloons at any business location. A temporary display of balloons shall not exceed ten (10)

consecutive days or more than a total of sixty (60) days per calendar year.

~~56~~. A non-commercial sign not exceeding six (6) square feet total for each lot in residential zones and twenty-four (24) square feet total for each lot in non-residential zones. Such a sign shall be erected only with the permission of property owner or tenant. An election sign shall not be displayed for more than ninety (90) days prior to the election or for more than ten (10) days following the election for which it is erected.

~~67~~. A temporary real estate sign which indicates that the property is for sale, rent or lease. Only one such sign is allowed on each street frontage of the property. Such a sign may be single- or double-faced and is limited to ~~three (3)~~four (4) square feet or less on property in residential zones and twelve (12) square feet or less on property in non-residential zones and shall not exceed the height limitations of a ground sign (six feet (6')).

~~78~~. Any temporary sign located on a kiosk.

~~89~~. Any "No Trespassing" sign, prohibiting or restricting access to property, provided it is (i) not more than one (1) square foot in size, (ii) placed at each corner and each entrance to the property and (iii) at intervals of not less than fifty (50) feet or in compliance with the requirements of law.

~~910~~. One identification sign of no more than one (1) square foot for a residence.

~~1011~~. Any parking lot and other private traffic directional sign not to exceed two (2) square feet in area having black letters on a white or building color background, and limited to guidance of pedestrian or vehicular traffic within the premises. There shall be erected no more than three (3) such signs in each parking lot or more than one (1) per entrance.

~~1412~~. Any informational commercial signs provided the sign (i) is in a non-residential zone, (ii) has an aggregate area (when combined with all other similar signs on the parcel) of not more than one-and-one-half (1½) square feet at each public entrance nor more than five (5) square feet total, (iii) indicates address, hours and days of operation, whether a business is open or closed, credit information and emergency address and telephone numbers. Lettering shall not exceed two (2) inches in height except for street numbers. Neon or light-emitting diode (LED) signs with the text “open” may be erected under this exemption subject to the following conditions: (i) no more than one (1) sign may be erected per business, ii) the letter height of any such sign shall not exceed six (6) inches and the overall height of the sign shall not exceed twelve (12) inches, and (iii) such signs are not allowed in El Pueblo Viejo, unless the sign is located at least ten (10) feet back from any window or open façade of the structure.

~~1413~~. Any street name and address stamped or painted on a sidewalk or curb.

~~1414~~. Any civic event sign, except a banner. Such a sign shall be removed within twenty-four (24) hours after the time of the event, shall not exceed twenty-four (24) square feet in size and may be erected for a period not to exceed five (5) days out of any thirty (30) day period. Only one (1) such sign shall be erected per lot.

~~1415. Any temporary "open house" sign. Only one (1) sign is allowed on each street frontage of the property. Such a sign may be single or double faced and is limited to three (3) square feet or less. The sign's supporting structure shall not exceed four (4) feet in height. A Temporary “open house” signs. One (1) sign may be erected on each street frontage of the property and a maximum of three (3) five (5) off-site signs shall be allowed may be erected pursuant to this exemption. and Individual signs erected~~

pursuant to this exemption shall not exceed an area of three (3) square feet, be taller than three (3) feet in height (including any supporting frame), and shall contain only the address of the property where the open house is being held and the name of the real estate agent and/or real estate agency or party holding the open house. ~~Such a~~Open house signs shall be erected and removed on the day the open house is held and shall not be fastened or attached in any way to a building facade or architectural element. Off-site open house signs shall be erected on private property only with the permission of the property owner. In addition to complying with the requirements above, off-site open house signs erected within the public right of way shall comply with all of the following standards:

a. Signs shall not be erected in a manner which obstructs the pedestrian path of travel or which constitutes a hazard to pedestrians or vehicular traffic;

b. Signs shall not be placed on vehicles;

c. Signs shall not be placed in street medians; and

d. Decorative attachments (i.e., balloons) shall not be attached to any sign.

~~45~~16. Any sign on a ~~gasoline pump,~~ telephone booth, ~~and or~~ news rack, provided the sign (i) identifies only the product contained therein, or displays operating instructions, and (ii) the lettering does not exceed two inches in height.

~~46~~17. Flags flown on a temporary basis for purposes of honoring national or civic holidays which do not exceed eight (8) feet long in largest dimension. No more than two (2) flags may be flown pursuant to this exemption on a single parcel.

~~47~~18. The official flag of a government, governmental agency, public institution, religion, corporation, business, or other similar entity. Only one (1) flag pole with a maximum height of twenty-five (25) feet and with a maximum dimension on the flag of



eight (8) feet and which is not attached to the building shall be exempt. No more than two (2) flags may be flown pursuant to this exemption on a single parcel. Corporate or business flags displaying the emblem, name logo or other information of a business shall be included in the calculation of the maximum allowable sign area for the business.

~~1819~~. Signs, except banners, announcing the opening of a new business which, in the aggregate, do not exceed ten (10) square feet in size or twenty-five percent (25%) of the window area, whichever is greater. Such signs shall be erected no more than thirty (30) days prior to the scheduled opening of the business and shall be removed no later than thirty (30) days after the opening of the business, but in no case shall such a sign be erected for more than forty-five (45) days within this period. The business owner or manager shall provide proof of opening date upon request.

~~1920~~. Temporary window signs, except banners not exceeding four (4) square feet or fifteen percent (15%) of the window area of each facade, whichever is greater. For windows which are more than twenty-five (25) feet from the public right-of-way, such signs shall not exceed twenty-five percent (25%) of such window area. No temporary window signs on a building or parcel shall be displayed for more than thirty (30) consecutive days nor more than a total of sixty (60) days per calendar year. Signs erected pursuant to this exemption shall not be illuminated.

~~2021~~. Signs specifically required by federal, state or City law, of the minimum size required.

~~2122~~. Signs on the air operation side of the Santa Barbara Municipal Airport which are designed and oriented to provide information to aircraft.

~~2223~~. A sign, such as a menu, which (i) shows prices of goods or services not on

window display to the public, (ii) does not exceed twenty-four (24) inches by eighteen (18) inches, (iii) has letters and numbers not exceeding three-quarters (3/4) of an inch in height, and (iv) is located on a wall or in a window.

~~23~~24. Signs on public transit vehicles designed to transport at least 19 passengers. No more than one sign may be displayed on each side of these vehicles, except as approved by the Sign Committee.

~~24~~25. Temporary "Garage Sale" or other similar signs located only on the premises upon which the sale is occurring.

C. PROHIBITED SIGNS. In addition to any sign not conforming to the provisions of this Chapter, the following signs are prohibited:

1. Any sign which, by color, shape, working, or location, resembles or conflicts with any traffic control sign or device.

2. Signs attached or placed adjacent to any utility pole, traffic sign post, traffic signal, historical marker or any other official traffic control device.

3. Any sign, except as may be required by other code or ordinance, placed or maintained so as to interfere with free ingress or egress from any door, window or fire escape.

4. Signs erected on public or private property without the permission of the property owner.

5. Signs visible from the public street or parking lot attached to or placed on merchandise or materials stored or displayed outdoors except for parking lot sales of less than four (4) days in duration.

6. SChangeable lighted message signs or signs that rotate, move, glare, flash,

change, reflect, blink or appear to do any of the foregoing, except time and temperature devices.

7. Off-premises signs, including billboards, except open house signs erected in compliance with the standards specified in Section 22.70.030.B.15.

8. Any sign displaying obscene, indecent or immoral matter as defined under California Penal Code.

9. Signs on awnings or canopies except on the valance.

10. Signs that create a hazard by obstructing clear views of pedestrian and vehicular traffic.

11. Portable signs.

12. Mobile signs.

13. Any sign (generally known as a "snipe sign,") tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences or the exterior of building or other structures, where the information appearing thereon is not applicable to the present use of the premises upon which such sign is located. Whenever a sign is found so placed, the same shall constitute prima facie evidence that the person benefited by the sign placed or authorized the placement of the sign.

14. Bench signs.

15. Banners, including any banner that is an open bay sign.

16. Roof signs and any other graphics which extend, wholly or in part, above the eave line of the structure to which it is attached.

17. Any parapet or pergola sign placed above or partially above the parapet or pergola.

18. Logo signs with courtesy panels.

19. Pennants.

20. Signs which cover or interrupt architectural features.

21. Signs containing changeable copy, except theater marquee signs, business directories, church and museum signs, gas price signs and restaurant interior menu boards.

22. Historical markers placed on the structure, tree or other historical monument itself, except as approved by the Historic Landmarks Commission.

23. Pole signs.

24. Exposed cabinet/raceways behind channel letters.

25. Inflatable signs.

#### D. GENERAL REQUIREMENTS.

1. No sign, other than a sign installed by a public agency, shall be allowed to be erected, installed, placed or maintained in or on any public property, including sidewalks and parkways, except off-site “open house” signs erected in compliance with the standards specified in Section 22.70.030.B.15.

2. Churches, schools, and other public or semi-public facilities may have one (1) on-site sign not exceeding eighteen (18) square feet in any area, provided that, except for the name of the premises, the lettering shall not exceed three (3) inches in height, and such signs in residential zones shall not be internally illuminated.

3. Any sign which is supported by more than one means and therefore cannot be clearly defined as a ground, marquee, wall, roof, projecting or other sign shall be administratively assigned to the sign category most logically applicable and be subject to

the corresponding standards.

4. Accessory signs will be considered only if they are designed in conjunction with or made an integral part of the signing existing on the subject building or project. Said signs shall not exceed twenty-five (25%) percent of the building's total signage.

5. A temporary window sign in excess of four (4) square feet, or fifteen percent (15%) of the window area of each facade, whichever is greater, requires a permit, unless the sign is otherwise exempt from the permit requirements of this chapter. For a window which is more than twenty-five (25) feet from the public right-of-way, such a sign shall not exceed twenty-five percent (25%) of the window area. Such signs shall not be displayed for more than thirty (30) consecutive days nor for more than a total of sixty (60) days per calendar year. All illuminated window signs require a permit.

6. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy or language translation, shall be used in computing the area of a sign. Signing and illumination shall be on two opposing faces only.

7. In order to calculate the size of a sign, the following provisions apply:

a. If the sign is enclosed by a box or outline, the area of the sign includes that portion of the sign comprised of said box or outline.

b. If the sign consists of individual letters attached directly to the building or wall, the size is calculated by drawing a rectangle around each line of copy.

c. If the sign is a ground sign, the base or support structure shall be included in calculating the height of the sign.

8. If a building consists of two (2) or more above-ground stories, no sign shall be allowed more than five feet six inches (5'6") above the second floor line or in

conformance with Subsection D.11 below, where applicable.

9. Prior to issuance of a sign permit, a ground sign shall be approved by the traffic engineer to ensure that placement of the sign would not adversely affect traffic or pedestrian safety.

10. A non-temporary window sign shall be not larger than twenty-five percent (25%) of the window area of the facade on which it is displayed.

11. A wall sign may be attached flat against or pinned away from the wall. A wall sign placed in the space between windows on the same story shall not exceed more than two-thirds ( $2/3$ ) of the height of the window, or major architectural details related thereto. A wall sign placed between windows on adjacent stories shall not exceed two-thirds ( $2/3$ ) the height of the space between said windows.

12. A projecting or hanging sign must clear the nearest sidewalk by a minimum of seven (7) feet and may project no more than four (4) feet into the public right-of-way. Such a sign for a business in the second story of a building is allowed only if the business has a separate street or public parking lot entrance and may be placed at the entrance only.

13. A device displaying time or temperature is permitted in all zones except residential zones and designated historic districts, subject to the provisions herein regulating various types of signs. Such devices are limited to one (1) per block. Only a logo is allowed to appear on the same structure as such a device.

14. A kiosk is permitted in all non-residential zones, subject to approval by the Sign Committee and (i) the Historic Landmarks Commission if within El Pueblo Viejo Landmark District or another landmark district, or (ii) the Architectural Board of Review

in other parts of the City.

15. A relocated sign shall be considered to be a new sign, unless the relocation is required by a public agency as a result of a public improvement, in which case approval shall be obtained only for the new location and base of the sign.

16. Except as otherwise stated in this Chapter, letter height shall be limited to a maximum of twelve (12) inches, except where it can be found that said letter size is inconsistent with building size, architecture and setback from the public right-of-way.

17. A ground sign which exceeds six (6) square feet in area shall not be located within seventy-five (75) feet of any other ground sign.

18. All signs on parcels immediately adjacent to El Pueblo Viejo Landmark District are subject to El Pueblo Viejo regulations.

#### **22.70.040 Sign Standards.**

A. GENERAL REQUIREMENT. All signs shall conform to the following standards.

1. Residential Uses. The following sign standards shall apply to any residential use in any zone in the City:

a. An apartment or condominium project identification sign identifying an apartment or condominium complex by name or address. One (1) such sign shall be allowed for each complex, shall not exceed ten (10) square feet in size if less than twenty-five (25) units, nor twenty-five (25) square feet if larger than twenty-five (25) units, and shall not be internally illuminated.

b. The Sign Committee may authorize one (1) ground sign or wall sign, not to exceed an area of twenty-four (24) square feet, to identify a neighborhood or subdivision other than an apartment or condominium project at the entrance to such subdivision or neighborhood. Such sign shall not be internally illuminated.

c. Any existing legal non-conforming use in a residential zone may have one-half (½) the number and size of signs as are allowed in commercial zones.

2. Office Uses. The following sign standards shall apply to office uses in any zone:

a. The aggregate area for all signs identifying a building or complex shall not exceed one-half (½) square foot of sign area per linear foot of building frontage or twenty (20) square feet, whichever is less.

b. Establishments within an office building or complex may collectively place a directory sign at each public entrance to said building listing establishments within.

c. An office complex which maintains a group identity shall submit to the Sign Committee a sign program for all signs proposed within the complex. Upon approval, the sign program shall apply to all tenants. This sign program shall be included as a provision in the lease for each individual tenant. Proof of said inclusion in the standard lease for the office complex shall be submitted to the Planning Division by the lessor.

3. Commercial and Industrial Uses. The following sign standards shall apply to commercial and industrial uses including hotels and motels in any zone:

a. The total area for all signs identifying a business shall not exceed the



following:

(1) For a dominant building frontage up to one hundred (100) linear feet, one (1) square foot of sign area per linear foot of building frontage, or sixty-five (65) square feet, whichever is less.

(2) For a dominant building frontage with more than one hundred (100) linear feet, three-quarters ( $3/4$ ) square foot of sign area per linear foot of dominant building frontage or ninety (90) square feet, whichever is less.

(3) For a building occupied by more than one tenant, the dominant building frontage for each business is that portion of the building elevation adjacent to the business. For a business which is not on the ground floor, one-half ( $1/2$ ) square foot of sign area per linear foot of dominant building frontage is permitted.

b. For a commercial or industrial complex containing four (4) or more occupants, the following sign standards apply:

(1) One (1) sign per frontage to identify the commercial or industrial complex, allowing one (1) square foot of sign area per linear foot of complex frontage or seventy-five (75) square feet, whichever is less, on the dominant facade.

(2) For each individual business with frontage on a public street or parking lot, one-half ( $1/2$ ) square foot of sign area per linear foot or twenty-five (25) square feet, whichever is less.

(3) One (1) directory sign not exceeding ten (10) square feet in size may be allowed at each public entrance.

(4) A commercial or industrial complex which maintains a group identity shall submit to the Sign Committee a sign program for all signs proposed within

the complex. Upon approval, the sign program shall apply to all tenants. This sign program shall be included in the lease for each individual tenant. Proof of said inclusion shall be submitted to the Planning Division by the lessor.

B. EL PUEBLO VIEJO LANDMARK DISTRICT. Signs in El Pueblo Viejo Landmark District (EPV) shall contribute to the retention or restoration of the historical character of the area. In addition to the other standards and restrictions in this Chapter, signs in EPV shall comply with the following:

1. Colors shall be consistent with the Hispanic styles specified in Chapter 22.22.
2. The typeface used on all signs in EPV shall be consistent with the Hispanic styles specified in Chapter 22.22, except that where the business logo or trademark uses a particular typeface, it may be used.
3. Letter height shall be limited to a maximum height of ten (10) inches, except where it can be found that said letter size is inconsistent with building size, architecture, and setback from the public right-of-way.
4. No internally illuminated signs except back-lit signs are allowed. Traditional materials and methods are to be used as defined in Section 22.22.104 and described in Subsection 5 below. Internally illuminated projecting cabinet signs are prohibited.
5. The choice of materials is left to the discretion of the applicant, subject to the approval of the Sign Committee; however, the following materials and/or methods are acceptable and desirable:
  - a. Sign face, supports and standards made of resawn or rough sawn wood and/or wrought iron with painted or stained backgrounds and lettering.
  - b. Sign face, supports and standards made of smooth wood trimmed with

moldings of historically based design and lettering.

- c. Signs painted directly on the face of the building.
- d. Projecting signs.
- e. Use of wood cutouts, wrought iron or other metal silhouettes further

identifying the business.

- f. Glass.
- g. Lighting standards and style typical of the building's architecture and

period.

- h. Flush or inset mounted signs of tile or stone.

6. The following materials and details are not acceptable:

- a. Contemporary finish materials such as plastics, aluminum and stainless

steel.

- b. Imitation wood or imitation marble.

- c. Fluorescent paint.

d. ~~Exposed spot lights, exposed neon tubings, and exposed lights or~~ Any spot light, neon tubing, or exposed electrical conduits on the exterior of any building or structure.

e. Any illuminated window sign, neon tubing, light emitting (LED, light rope, or other similar lighting located within ten (10) feet of any window (except "open" signs provided in Section 22.70.030.B.12 and no vacancy signs as provided in subparagraph 7 below).

7. For hotels and motels in the El Pueblo Viejo Landmark District (EPV) a single neon "No Vacancy" sign shall be allowed if the following conditions are met:

- a. Only one (1) double-faced neon "No Vacancy" sign per property/business.
- b. Letter size to be three (3) inches maximum height.
- c. Tube size to be twelve (12) mm. maximum diameter.
- d. Neon color to be clear red.

8. Landscaping:

- a. Landscaping in EPV shall conform to the El Pueblo Viejo Guidelines list of preferred plants.
- b. Low shrubs or dense ground cover is required to conceal non-decorative lighting fixtures.
- c. Irrigation plans shall be included where applicable.

**22.70.050 Sign Permits.**

A. APPLICATION. Any person desiring to construct, maintain or display a sign for which a permit is required shall submit an application to the Planning Division of the Community Development Department. The application shall be made upon forms provided by the Community Development Department and shall be accompanied by the following materials:

- 1. Two copies of a plan showing:
  - a. The position of each sign and its relation to adjacent buildings or structures.
  - b. The proposed design, size, colors, and location on the premises of each sign including the type and intensity of any proposed lighting.

2. A statement showing the sizes and dimensions of all signs existing on the premises at the time of making such application.

3. Such other information as the Director of the Community Development Department may require to show full compliance with this and all other ordinances of the City of Santa Barbara.

4. A written authorization to submit the sign permit application signed by the property owner or lessee.

B. FEES. The sign permit application shall be accompanied by the appropriate fee established by the City Council by resolution. If installation of a sign is commenced before an application for a permit is made or before the plans are approved by the Sign Committee, the applicant shall be charged an additional field inspection fee equal to the permit fee.

C. PROCESSING APPLICATIONS.

1. Community Development Department staff shall review the application and accept it as complete or reject it as incomplete within three (3) working days from the date of filing.

2. No sign permit application will be accepted if:

a. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of the submission of the application, each illegal sign has not been legalized, removed or included in the application; or

b. Any sign under the control of the applicant on the premises of the proposed sign was installed in violation of this Chapter and at the time of submission of the application, each illegal sign has not been legalized, removed or included in the

application; or

c. The sign permit application is substantially the same as an application previously denied by staff or the Sign Committee or, on appeal, by the Historic Landmarks Commission, the Architectural Board of Review, or the City Council, unless:

- (1) Twelve (12) months have elapsed from the date of the final decision on the application; or
- (2) New evidence or proof of changed conditions is furnished in the new application.

3. Assignment of Level of Review. Community Development Staff will review each sign permit application and assign each complete application to one of three review categories: conforming review, consent review, or full board review. Sign permit applications will be assigned to conforming review based on the criteria found in Section 22.70.050.E. Most other sign permit applications will be assigned to consent review. Sign permit applications that involve multiple exception requests, a large number of signs, or a large volume of signage will be assigned to full board review. Prior to a hearing on Consent Review, any member of the Sign Committee, Architectural Board of Review, or the Historic Landmarks Commission may request that an application assigned for consent review be re-assigned for full board review.

D. BUILDING AND ELECTRICAL PERMITS. After a sign has been approved by the Sign Committee the applicant shall obtain all required building and electrical permits from the Building and Safety Division ~~of Land Use Controls~~ of the Community Development Department.

E. CONFORMING AND CONSENT SIGN REVIEW.

1. Sign Conformance Determination. Applications for signs conforming to the Sign Ordinance and Sign Review Guidelines may be eligible for review and approval by the Chair or Vice-Chair of the Sign Committee or their designated alternate. Conforming signs which meet the following criteria shall be referred by Staff for Conforming Sign Review:

4a. Signs where the size, shape, color, location, and lighting illuminating the sign comply with applicable sign review guidelines.

b. Signs located within El Pueblo Viejo Landmark District that comply with the requirements of Section 22.70.040.B and would be compatible with the required architectural style described in Section 22.22.104.

c. Minor wording, name, color and/or face changes which do not affect the character or location of a sign;

2d. Signs for a commercial or industrial complex where a previously approved sign program is in effect and the proposed sign conforms to the program;

3e. Thirty (30) day extension of temporary signage;

4f. Conceptually approved signs, if all Committee conditions are met; and

5. Ongoing flag changes if there is no change to the Sign Committee approved flag programs; and

6g. Awning signs.

Sign applications which do not meet these specific criteria may be referred by Staff or the Chair, Vice-Chair or their designated alternate for Conforming Sign Review, if deemed appropriate. In addition, the full Sign Committee may also direct some projects or portions of projects to the Conforming Sign Review for approval.

2. Conforming Review. Conforming reviews are conducted by any one (1) member of the Sign Committee.

3. Consent Review. Consent reviews are conducted by any two (2) members of the Sign Committee.

4. Standard of Review and Findings. Conforming review and consent review are conducted using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.

~~F. PERMITS REVIEWED BY THE SIGN COMMITTEE. The Sign Committee shall take action to approve, conditionally approve or deny an application within twenty-one (21) days from the date of acceptance thereof. If no action is taken by the Sign Committee within said period or within any extension approved by the applicant, the application shall be deemed approved as submitted, provided the proposed sign otherwise complies with the provisions of this Chapter.~~FULL BOARD REVIEW. Full board review is conducted by the ABR or, if the sign is located in El Pueblo Viejo Landmarks District or the sign is proposed on a site that is a designated historic resource or potential historic resource, the HLC. When conducting a full board review of a sign permit application, the ABR or HLC shall assume the role of the Sign Committee, as provided in Chapter 22.70 and amended by this ordinance. The ABR or HLC shall employ the current adopted Sign Review Guidelines and shall conduct its review using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.

#### **G. SIGN REVIEW CRITERIA.**

1. In reviewing a sign permit application, staff and the Sign Committee shall



apply the following criteria as the basis for action:

- a. The sign shall be in proportion with and visually consistent with the architectural character of the building.
- b. The sign shall not constitute needless repetition, redundancy or proliferation of signing.
- c. The location of the proposed sign and the design of its visual elements (lettering, colors, decorative motif, spacing and proportion) shall result in a sign which is legible under normal viewing conditions existing at the sign's proposed location.
- d. The sign shall not obscure from view or unduly detract from existing signing.
- e. If the proposed sign will be adjacent to, in or near a residential area, it shall be harmonious and compatible with the residential character of the area.
- f. The size, shape, color and placement of the sign and any lighting shall be compatible to and harmonious with the building which it identifies and with the area in which it will be located.
- g. If the sign is to be located in El Pueblo Viejo Landmark District, the sign shall comply with the requirements of Section 22.70.040.E and shall be compatible with the required architectural style described in Section 22.22.104.

2. If a sign permit application satisfies the above criteria and complies with the other provisions of this Chapter, it shall be approved.

H. FINDINGS. If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this Chapter shall be prepared in writing and mailed to the applicant

or his agent and sign contractor within seven (7) days.

I. APPEALS. The applicant or any interested person may appeal decisions concerning sign permit applications as follows:

1. Appeals to the Architectural Board of Review or the Historic Landmarks Commission. Any action of the Sign Committee or of the Division staff may be appealed by the applicant or any interested party to the Architectural Board of Review or, if the sign is in El Pueblo Viejo Landmark District or if the sign is proposed on a site that is a designated historic resource or potential historic resource, to the Historic Landmarks Commission. Said appeal shall be in writing, shall state reasons for the appeal and shall be filed with the staff of the Architectural Board of Review or the Historic Landmarks Commission within ten (10) days of the meeting at which the decision being appealed was rendered. A hearing shall be held by the Architectural Board of Review or the Historic Landmarks Commission, as appropriate, at the first available meeting of the Architectural Board of Review or the Historic Landmarks Commission following the filing of the appeal. Notice of the time and place of the hearing shall be sent to the applicant and appellant no later than five (5) days prior to said hearing. The Board or Commission may affirm, reverse or modify the decision of the Sign Committee or staff concerning the sign permit application. Said action shall take place within twenty-eight (28) days from the date of the filing of the appeal. Failure to act within said period will result in the sign permit application being deemed approved to the extent that it complies with the provisions of this Chapter. Upon such an automatic approval, the Division of Land Use Controls shall issue the permit. No member of the Board or Commission who is also a member of the Sign Committee and who participated in the decision of the Sign

Committee shall act on the appeal.

2. Appeal to the City Council. An appeal to the City Council from the decision of the Architectural Board of Review or the Historic Landmarks Commission shall be made pursuant to the provisions of Section 1.30.050 of this Code.

J. EXPIRATION OF PENDING APPLICATION. Signs must be installed within six months of the date of approval or the approval is void, unless the applicant has requested and received an extension not exceeding six (6) months from the Community Development Director.



# City of Santa Barbara

## Community Development Department

ATTACHMENT 2

[www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov)

### Director's Office

Tel: 805.564.5502

Fax: 805.564.5506

### Building & Safety

Tel: 805.564.5485

Fax: 805.564.5476

### Housing &

#### Redevelopment

Tel: 805.564.5461

Fax: 805.564.5477

### Planning

Tel: 805.564.5470

Fax: 805.897.1904

### Rental Housing

#### Mediation Task Force

Tel: 805.564.5420

Fax: 805.564.5477

630 Garden Street

PO Box 1990

Santa Barbara, CA

93102-1990

October 27, 2010

TO: City Council, Ordinance Committee Chair  
City Council Ordinance Committee

SUBJECT: Proposal for Amendments to Sign Regulations

Dear Ordinance Committee Members:

On behalf of the Historic Landmarks Commission (HLC), I am forwarding the unanimous support of the Commission for the proposed Sign Ordinance amendments. These amendments, intended to strengthen sign enforcement related to nuisance lighting and the installation of LCD display monitors, have been described by Mr. Limon and discussed in committee at our last meeting

As a Commission, we felt it was important to convey to the Ordinance Committee our sentiments regarding the installation of these types of signs or devices. As described and as evidenced in current installations, they are intended primarily as a form of advertising and would detract from the ambiance of the City. Commissioners specifically expressed serious concerns regarding the potential visual and sound impacts particularly during evening hours as related to the LCD monitors that may be placed at exterior locations throughout the City.

The Commission also understands that these monitors are being touted as beneficial for displaying public service announcements and emergency information. The Commission believes there are other methods and ways to provide emergency broadcast information when necessary instead of utilizing these ubiquitous methods.

Although all exterior alterations are regulated by ordinance in El Pueblo Viejo, these types of lighting and sound-producing devices are often placed without any approvals from the various agencies. It is important the City enforcement staff have the necessary tools in place to identify these installations as signs, and for the City to maintain its philosophy of the importance of oversight.

In summary, the HLC does not believe the public benefit argument is sufficient to allow these types of sign, lighting, and sound installations in El Pueblo Viejo, which go beyond the intended purpose of signage and suggest advertising. We respectfully ask that you support all the proposed sign ordinance amendments.

Sincerely,

A handwritten signature in black ink, appearing to read "Susette Naylor", is written over a horizontal line.

Susette Naylor, Chair  
Historic Landmarks Commission